



Governor Kim Reynolds
Lt. Governor Adam Gregg
San Wong, Director

PUBLIC SAFETY ADVISORY BOARD MINUTES OF REGULAR MEETING

**Iowa State Capitol
1007 E. Grand Avenue, Legislative Dining Room
Des Moines, Iowa**

November 14, 2018

Present: Tom Walton, Chair; Kim Cheeks; Joel Greer; Cody Samec; Beth Skinner; Sherri Soich; Kurt Swaim; Sheriff Tony Thompson; Doug Wolfe

Ex-Officio: Hon. Romonda Belcher; Hon. Jeffrey Neary*; Sen. Rich Taylor; Rep. Mary Lynn Wolfe*; Sen. Brad Zaun

Staff: Steve Michael; Sarah Fineran; Julie Rinker; Cheryl Yates

Public: Betty Andrews, Ronald Woods, Iowa-Nebraska NAACP; Jean Basinger, Sheila Corsbie, CURE; Karen Person, Jo Ann Finkenbinder, League of Women Voters; Daniel Zeno, ACLU of Iowa

Other State

Employees: Tom Ashworth; Laura Book; Bill Freeland; Christine Mechler; Allison Ver Shuer
(*=joined by phone)

I. Call to Order, Welcome, and Introductions

Tom Walton called the meeting to order at 11:32 am. A quorum was present. Representatives from the local media (WHOTV, KCCITV, Des Moines Register) were in attendance to hear discussion on voting rights legislation.

II. Approval of Minutes – September 19, 2018

Sheriff Tony Thompson moved to approve the minutes from the September meeting, seconded by Beth Skinner. The motion was unanimously approved.

III. Voting Rights Restoration

Sarah Fineran reported that during the September meeting, the Board requested more information and further discussion regarding voting rights restoration for felons. She noted that in 2017 CJJP shared a report brief "Restoring Voting Rights for Felons" (a copy was included in the meeting packet).

Cheryl Yates provided information from the 2017 report as well as updated information since the report was released. In 2005, Governor Tom Vilsack issued Executive Order #42 restoring voting rights to felons. In 2011, Governor Terry Branstad rescinded that Executive Order, leaving Iowa as one of three states (Kentucky and Florida) imposing permanent disenfranchisement for convicted felons. An application process allowing the governor to restore voting rights on an individual basis exists. In 2016, the application process was streamlined. Although an attempt was made, CJJP was not able to determine the number of felons whose voting rights were restored through executive clemency by Governor Reynolds.

Yates also referenced a report by the Sentencing Project that comprehensively lists voting rights reforms by state. That report shows that in Iowa, approximately two percent of the voter population are disenfranchised (52,000 offenders). Approximately ten percent of African-American voters are disenfranchised (6,879).

Earlier this month, the state of Florida added the measure to the ballot. Florida voters voted to restore rights to approximately 1.5 million former offenders, excluding sex offenders and murderers.

The following summarizes discussion. Comments from members of the public are noted with an **:

- **Karen Person, League of Women Voters, recommended voting rights be restored. She noted that Iowa is one of two states, there are 52,000 ex-offenders working, paying taxes, working to restore their goodwill in communities, yet unable to vote. She also noted the disparity of African-Americans within that group. She provided information that, in Florida, advocates were from bipartisan, faith-based coalitions and 65% of the voters approved the ballot measure. She encouraged the Board and the Legislature to continue efforts to restore voting rights.
- **Betty Andrews, NAACP, echoed Person's remarks. She noted that the NAACP has worked with Governor Reynolds' office to streamline the application process and that the ban did not apply to those convicted of misdemeanor crimes.
- **Daniel Zeno, ACLU of Iowa, stated his agency supports restoration of voting rights. He suggested the recommendation be stronger and recommended that "the Legislature immediately restore voting rights in Iowa". He also requested that data from Governor Reynolds' office regarding the number of restorations be shared.
- Representative Mary Wolfe would like the report to reflect that the recommendation not only has the support of the Board, but that the Board feels strongly about the recommendation.
- Kim Cheeks suggested the recommendation state "all offenders" rather than "certain offenders".
- Hon. Romonda Belcher asked what other states have done. Yates responded that the report from the Sentencing Project provides that information and data.
- **Andrews noted the language in the draft report sends a message that the recommendation is for "certain" felonies. She suggested removing the second

sentence and use the following: “The PSAB supports the Iowa Legislature restore voting rights for offenders”.

- Other discussion included offenders with life sentences. Sherri Soich noted that Class A felons have a life sentence. Kim Cheeks added that juveniles sentenced to life would at some point be released since life sentences for juveniles have been found unconstitutional. Doug Wolfe added that youth make mistakes, their brains are not fully developed, and he would support strong language around restoration of voting rights. He suggested “The PSAB recommends the Iowa Legislature take action to restore voting rights for offenders”.

Sheriff Tony Thompson moved to recommend the Iowa Legislature take action to restore voting rights for offenders, seconded by Joel Greer.

Discussion:

Senator Rich Taylor agreed, but asked that the Board give further direction to legislators regarding at what time voting rights should be restored. A variety of responses were brought forth. The Board discussed a variety of suggestions such as: when discharged from incarceration; expiration of sentence; discharge to/from community supervision; once financial fees have been paid; etc.

Representative Wolfe noted that there is some concern that those on probation/parole who vote early may end up in jail or prison prior to election, but agreed steps should be taken.

Sheriff Thompson suggested maintaining his motion and leave the details to the legislators.

A vote was taken and the motion was unanimously approved.

IV. Finalize 2018 PSAB Recommendations

Sheriff Thompson moved to approve the report with the prior recommendation. The motion failed for lack of a second.

Michael noted that the anti-racial profiling area doesn’t provide a lot of guidance. In the past, there have been concerns surrounding the difficulty in recordkeeping of traffic stops by law enforcement. He asked if there were other details that should be considered or included in the recommendation.

Sheriff Thompson responded that law enforcement throughout Black Hawk County have been collecting traffic stop data for approximately 20 years. The information is gathered through disposition codes reported to dispatchers.

****Zeno recommended the Legislature take action to ban racial profiling, require data collection and analysis, and training.**

****Andrews recommended a definition of racial profiling also be developed. She added that the NAACP is working with some municipalities to develop local ordinances to ban racial profiling.**

Belcher asked why the previous legislation did not pass. Representative Wolfe responded that it did not pass out of the House Judiciary Committee. ****Andrews added that it passed out of the Senate Judiciary Committee. The NAACP is working with the Governor's office to convene discussions with law enforcement, legislators, and others to find common ground.**

Cheeks moved to recommend the legislature take action to ban racial profiling including defining, requiring data collection and analysis, and training, seconded by Soich. The motion was unanimously approved.

Sheriff Thompson moved to approve the report with the recommended changes, seconded by Skinner. There was no further discussion and the motion was unanimously approved.

V. Public Comment

There was no additional public comment.

VI. Issues for Next Meeting

There were no issues for the next meeting.

VII. Adjournment

Doug Wolfe moved to adjourn, seconded by Skinner. The meeting adjourned at 12:32 p.m.

Respectfully submitted,

Julie Rinker
Administrative Secretary
Div. of Criminal & Juvenile Justice Planning
Iowa Department of Human Rights